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IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of
GOERLITZER, J., et. al

Examiner: Paviglianiti, Anthony Joseph

Application No.: 10/789,019

Art Unit: 1626

Filed: February 27, 2004

Title: **Diarylcycloalkyl derivatives, process for
their preparation and their use as
pharmaceuticals****TELEFAX CERTIFICATE**I hereby certify that this correspondence is
being transmitted via facsimile to the
Commissioner for Patents, Alexandria,
VA 22313, onAugust 22, 2005
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*See serial
10/789,019*

Your petitioner, Aventis Pharma Deutschland GmbH, a corporation having offices in Industriepark Hoechst, Gebaude K801, Frankfurt Am Main, Germany, represents that it is the assignee of Application Serial No. 10/789,019, filed on February 27, 2004, by virtue of an assignment to Aventis Pharma Deutschland GmbH which was recorded on June 11, 2004, set out in reel 014722 and frame 0060.

Your petitioner, Aventis Pharma Deutschland GmbH, hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the patent corresponding to USSN 10/789,281, which is assigned to and commonly owned by Aventis Pharma Deutschland GmbH and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent Application Serial No. 10/789,281, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns. Such disclaimer does not, however, mean that petitioner hereby waives or disclaims any right to an extension of the term of any patent issuing from application serial number 10/789,019, under 35 U.S.C. § 156, pursuant to (a) Title II of Pub. L. No. 98-417, enacted on September 24, 1984, and entitled the "Drug Price Competition and Patent Term Restoration Act of 1984", (b) Pub. 98-417, enacted on September 24, 1984, and entitled the "Drug Price Competition and Patent Term Restoration Act of 1984". (b) Pub. L. No. 100-670, enacted November 16, 1988 and entitled "Patent Term Extension for Animal